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Date: November 21, 2005	Phone Number	Fax Number
To: Examiner Mooneyham		(571) 273-8300
From: Kevin J. Zilka		

Docket No.: SVIPGP002B

App. No: 10/661,878

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to Examiner Mooneyham.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

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November 18, 2005

NOV 21 2005

Practitioner's Docket No. SVIPGP002B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kevin J. Zilka et al.

Application No.: 10/661,878

Group No.: 3629

Filed: September 11, 2003

Examiner: Mooneyham, J.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR COLLECTING
STRATEGIC PATENT DATA ASSOCIATED WITH AN IDENTIFIER

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 11, 2005, for a second time rejecting claims 1, 2, 4-13, 18-20, 44, and 45.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on September 11, 2003.

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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_ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: 11/21/05

Signature

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

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2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity	\$250.00
Notice of Appeal fee due	\$250.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
TOTAL FEE DUE	\$250.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$250.00 to Deposit Account No. 50-1351 (Order No. SVIPGP002B).

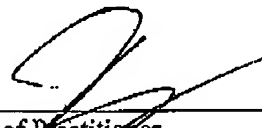
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. SVIPGP002B).

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875



Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
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San Jose, CA 95172-1120
USA

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